Remarks

Claims 1-16 are pending in the application. Claims 9 and 10 have been involuntarily withdrawn following a previous restriction requirement. Claim 3 has been amended to correct an obvious typographical error. Support for the amendment can be found in paragraph 0014.

Claims 14-16 are new. Support for Claim 14 can be found in paragraph 0021 (assignment of stimuli and actions to SCREENS), paragraphs 0011, 0025, 0030 (multiple SCREENS included in transmission) and paragraphs 0024, 0034 (navigation among multiple screens based on stimuli and actions). Support for Claim 15 can be found in paragraph 0022. Support for Claim 16 can be found in original claim 1 (and throughout the specification) and in paragraphs 0018, 0032 (digital decoder for referencing the components, and for creating an image using them), paragraph 0033 (referencing and displaying the DRAWS comprising a SCREEN, referencing the stimuli associated with the SCREEN, and executing the associated action) and paragraphs 0024, 0034 (navigation through multiple screens).

Claims 1, 2, 4, 11 and 12 have been rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Pat. No. 6,314,569 to Chernock. Chernock describes a method of displaying a multimedia presentation that includes personalized supplementary audio, video or graphic content. The multimedia presentation ultimately displayed to the viewer includes components from an original video stream transmitted to the viewer's set-top box (STB), and personalized content added by the STB. According to Chernock, the original video stream is transmitted to the STB with defined "holes". The STB includes stored personalized information to be displayed, and incorporates the personalized information into the "holes" to form an image to be displayed. Significantly, the personalized information has been stored on the STB prior to transmission of the original video stream, and is not transmitted therewith. *See*, Chernock, col. 3, ll. 10-13, 22-24.

Chernock relates to the display of stored information in the "holes". Other than including information indicative of the physical and temporal locations of the "holes", Chernock is not concerned with the nature of the transmission of the original video stream. In sharp contrast, the subject matter defined in Claims 1, 13 and 16 relates to the transmission of a unique data structure. The elements of the data structure will be discussed in more detail below.

Moreover, the Chernock multimedia presentation is not interactive. Instead, it merely permits a user to store the personalized information in the STB prior to transmission of the original

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video stream. During the process of displaying the presentation, the STB merely inserts the pre-stored information into the "holes" defined in the original video stream. The viewer does not control how the personalized information is incorporated into the video stream or otherwise interact with the presentation.

In sharp contrast, Claims 1, 2, 4, 11 and 12 are directed to an interactive system in which SCREENS and related components are transmitted. As recited in Claim 1, the components include INITIALIZATIONS, DRAWS, PALETTES and SCREENS. Together, these components define the content of the images that can be displayed based on interactions with the user.

More specifically, the INITIALIZATIONS are data indicative of the location of the other components in the data structure. *See*, ¶ 0027. In other words, the INITIALIZATIONS reference other components that are being transmitted in the data structure, thereby allowing the digital decoder to identify and appropriately utilize the other elements in the data structure.

The DRAWS components recited in Claim 1 are graphic representations corresponding to visual or graphical elements. *See*, ¶¶ 0011, 0028. The DRAWS are basic graphical elements, such as text, geometric shapes, lines, etc., that are used to make up a SCREEN, and are transmitted along with the INITIALIZATIONS. *See*, ¶¶ 0025, 0030. Once transmitted, the DRAWS components can be reused in different combinations to form different images in accordance with the SCREENS.

The PALETTES components are also transmitted along with the DRAWS and INITIALIZATIONS for each specific application. The PALETTES include color palettes, and can be used to create a single or multiple color schemes for each application. *See*, ¶ 0029.

Each of the SCREEN components define an interactive screen made from a plurality of DRAWS, which collectively create the image to be viewed and an interactive interface for the user. Each of the SCREENS can be associated with a plurality of stimuli and actions to enable the user to navigate among several interactive screens. *See*, ¶¶ 0021, 0024. For example, stimuli include actuation of a key by a user; and actions include the display of a new screen. *See*, ¶¶ 0022, 0023 When one of the appropriate stimuli is detected, the associated action can be executed, thereby allowing for interactivity with the viewer and the navigation among several screens to form a complete video presentation.

Thus, this application describes the transmission of a data structure having several distinct elemental components, INITIALIZATIONS, DRAWS, PALETTES and SCREENS, each with its

own function and position within the data structure. DRAWS define individual graphic elements that can be included in one or more images. SCREENS define a collection of DRAWS to be displayed to form a particular image, and can be associated with stimuli and actions to allow interactivity with the viewer. PALLETTES define the colors available to the various elements. INITIALIZATIONS include "pointers" to permit a digital decoder to locate the various elements in the data structure. The unique nature of the transmission allows for the display of a complete, interactive presentation, in which subsequent images are dependent upon the detection of a stimulus associated with the present SCREEN and the execution of an associated action.

In sharp contrast, Chernock does not describe or suggest the transmission of INITIALIZATIONS, DRAWS, PALETTES and SCREENS. While Chernock describes control information, such information is not INITIALIZATIONS, as one skilled in the art would understand the term in the context of this application. Moreover, Claim 16 specifically recites that the INITIALIZATIONS define positions of the DRAWS, PALETTES and SCREENS in the data structure. The control information of Chernock, on the other hand, is used merely to define the location, beginning and ending times of "holes" in the original video stream. As discussed below, the "holes" are merely windows in the original video stream, and are not DRAWS, PALETTES and SCREENS. Thus, Chernock does not describe the transmission of INITIALIZATIONS

Chernock also fails to describe or suggest the transmission of DRAWS to the STB. Instead, Chernock only describes the "holes" in the original video stream where such graphics could be placed. The graphic elements to be displayed in the Chernock "holes" are stored in the STB prior to transmission, and are never transmitted with the control information. *See*, col. 6, l. 58. Moreover, based on a fair reading of the instant specification, one skilled in the art would understand that DRAWS are visible features that can be put together in accordance with the SCREENS to create an image to be displayed. The "holes" of Chernock are merely windows in the original video stream to be filled by information stored in the STB. Because the "holes" are not DRAWS that can be used to compose a SCREEN, Chernock does not describe or suggest the transmission of DRAWS.

Further, Chernock does not describe the transmission of PALETTES. Instead, Chernock merely describes that bitmaps can be used for creating the overlay without describing the origin of the bitmaps. *See*, col. 5, ll. 49-53. Because Chernock only describes transmission of the original video stream, one skilled in the art would understand that the bitmaps used to create the overlay are

stored in the STB along with the personal information stored therein. Thus, Chernock also does not disclose the step of transmitting PALETTES as set forth in Claims 1 and 16.

Chernock also does not disclose the transmission of SCREENS, as the term is used in the rejected claims. Instead, Chernock merely uses the term "screens" in the generic sense of what is actually displayed on the TV set. In sharp contrast, one skilled in the art would understand that the term SCREENS, as used in the claims, refers to data within the transmission that define interactive screens made from a plurality of DRAWS, which collectively create the image to be viewed and an interactive interface for the user. Each of the SCREENS can be associated with a plurality of stimuli and actions to enable the user to navigate among several interactive screens. Chernock does not describe or suggest the transmission of SCREENS, because only the original video stream is transmitted, which is not composed of DRAWS and provides no opportunity for interactivity based on stimuli and actions. In Chernock, the STB incorporates the pre-stored personalized information without user input to create that which will be displayed to the viewer. Therefore, the data structure transmitted in Chernock does not include SCREENS.

In sum, the subject matter of the rejected claims relates to an interactive application that is transmitted as a whole. The transmission includes all of the graphic elements (DRAWS) for each SCREEN to be displayed, together with associated actions and stimuli allowing for interaction by the user, PALETTES and descriptions of where the various elements can be found in the data structure (INITIALIZATIONS).

Chernock does not describe or suggest an interactive system as in the rejected claims. In Chernock, there is no navigation between interactive screens. Instead, Chernock merely describes "holes" in an original video stream that can be filled with personalized information previously stored in the STB. Thus, Chernock has no need, and does not describe or suggest, that stimuli or actions can be assigned to the screens. The final form of the multimedia presentation that is displayed is determined by the STB, not by interactive input from the viewer or actions and stimuli transmitted with the original video stream. In the present invention, the stimuli and actions are specific to a particular application and therefore are transmitted to the STB in the data structure for that application. New dependent Claim 14 has been added to emphasize this feature.

Because Chernock fails to describe or suggest the elements of Claim 1, it is respectfully submitted that the claim is patentable thereover. For similar reasons, Chernock also does not

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describe or suggest the method of new Claim 16, which has been added to emphasize many of the unique elements discussed above.

Claim 13 has been rejected as allegedly obvious over the theoretical combination of Chernock and Fuller. Claim 13 recites many of the unique features discussed above in connection with Claim 1, including the transmission of INITIALIZATIONS, DRAWS, PALETTES and SCREENS. Fuller describes a video distribution system for pay-per-view, video-on-demand or gaming applications for the hospitality service sector, e.g., hotels and the like. In Fuller, a remote unit integrates signals from at least two sources, such as a data source and a video source. The integrated program is then multiplexed with additional programs and transmitted to the hotel. The program received at the hotel is a fully integrated video stream. There is no need to segregate the stream into individual components, such as INITIALIZATIONS, DRAWS, PALETTES and SCREENS, as presently claimed, and Fuller does not describe or suggest same. Because Fuller fails to remedy the deficiencies of Chernock, Claim 13 is patentable over the cited combination.

Dependent Claims 3, 5 and 6-8 have been rejected as allegedly obvious over Chernock in view of Kamada and/or Fuller. Like Fuller, Kamada fails to describe or suggest the features recited in Claim 1, and the additional references fail to remedy the deficiencies of Chernock with respect to the elements of Claim 1. For at least this reason, the dependent claims are also patentable.

For the reasons set forth above, it is respectfully submitted that Chernock does not describe or suggest the various features of the independent claims, and Kamada and Fuller do not remedy that deficiency. Reconsideration and withdrawal of the rejection is therefore respectfully requested.

Respectfully submitted,

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